IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 6765 OF 2002

Deepthimahanthi Ganesh Anantha Alwara Rao ... Applicant

Versus

Union of India and Ors. ... Respondents

Mr. A.S. Rao for Applicant.

Shri. N.V. Masurkar with Mrs. L.P. Patne for Respondents.

CORAM: F.I. REBELLO &
MRS ROSHAN DALVI,J.
DATED: SEPTEMBER 01, 2006

P.C.:

. By consent matter taken up on board and heard forthwith.

. This petition is directed against the order of C.A.T. by which the Original Application filed by the Petitioner for regularizing the post of Vehicle Electrician has been rejected. While disposing of the Review Application, we have noted that the ground on which the O.A. was dismissed was that the Petitioner was not having the required qualification, would disclose error apparent on the face of the record as at the relevant time, the old rules were in force and not rules which came into force in December, 1991.

. We have further noted that that by itself cannot

result in the Petitioner getting any relief from this court as findings will have to be recorded as to whether on the date the Petitioner was appointed in August, 1991, there were posts of Vehicle Electricians available. Considering the above, the impugned order of the tribunal dated 24.04.2001 is set aside and the matter is remanded to the tribunal for reconsideration according to law. It will be open to the parties to produce such material available to them and it is for the tribunal to decide the controversy not later than six months from today.

. With the above observations , Petition stands disposed of. Rule made absolute accordingly. NO order as to costs.

(MRS.ROSHAN DALVI,J.) **(F.I.REBELLO, J.)**